

Report Date: October 15, 2014

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Oct 24, 2014**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Marcelino Diaz-Lozano

Case Number: 2:10CR00070-FVS-1

Address of Offender: Unknown

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: December 16, 2010

Original Offense: Alien in United States After Deportation, 8 U.S.C. § 1326(b)(2)

Original Sentence: Prison - 21 months;  
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Frank Wilson

Date Supervision Commenced: January 14, 2012

Defense Attorney: Federal Defenders Office

Date Supervision Expires: January 13, 2015

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<b><u>Mandatory Condition # 2:</u></b> The defendant shall not commit another federal, state, or local crime.  <b><u>Supporting Evidence:</u></b> Mr. Marcelino Diaz-Lozano was found guilty of Illegal Entry in the District of Arizona on September 30, 2014, in violation of 8 U.S.C. § 1325(a)(1).
2	<b><u>Special Condition # 14:</u></b> You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.  <b><u>Supporting Evidence:</u></b> According to the criminal complaint filed in the District of Arizona for case number 14-32379M, on September 30, 2014, Mr. Marcelino Diaz-Lozano, an alien, entered, and was found in the United States of America after having been denied admission, excluded, deported, and removed from the United States. The report indicates that Mr. Diaz-Lozano was found by United States Border Patrol agents in Lukeville, Arizona, on September 27, 2014, without obtaining the express consent of the attorney general or the secretary of the Department of Homeland Security to re-apply for admission to the United

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States. The report also indicates that Mr. Diaz-Lozano admitted to entering the United States of America from Mexico illegally on September 26, 2014, at or near Lukeville, Arizona.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/15/2014

s/Patrick J. Dennis

Patrick J. Dennis  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

October 24, 2014

Date